

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

BRYAN EUGENE GARNER, #203966

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:18cv515

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation (“the Report”) (Dkt. #32) concluding that the petition for writ of habeas corpus should be denied and dismissed with prejudice. Petitioner filed a “Request for C.O.A./C.O.A.” (Dkt. #33), which the Court construes as objections to the Report.

In the objections, Petitioner reurges the issues raised in his 28 U.S.C. § 2254 petition. The Court has reviewed the tendered objections, and they generally add nothing new to Petitioner’s prior contentions in this case. Despite his arguments, Petitioner fails to show that the Report is in error or that he is entitled to relief.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a *de novo* review of the objections raised by Petitioner to the Report, the Court concludes that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

It is accordingly **ORDERED** the petition for a writ of habeas corpus is **DENIED** and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**.

It is further **ORDERED** that all motions not previously ruled on are hereby **DENIED**.

SIGNED this 26th day of April, 2024.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE